

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**PALM BEACH TAN'S MOTION TO DISMISS
PLAINTIFF'S COMPLAINT FOR FAILURE TO STATE A CLAIM**

Pursuant to Fed. R. Civ. P. 12(b)(6), and for those reasons stated in the accompanying Brief in Support of Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim, Palm Beach Tan, Inc. ("Palm Beach Tan") respectfully requests that the Court dismiss Plaintiff's Complaint with prejudice.

Dated: August 18, 2023

Respectfully submitted,

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